

EXPRESS MAIL NO.: EL 984898355 US
DATE DEPOSITED: DECEMBER 2, 2003

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Donald E. Weder) Atty. Dkt. No. 8404.032
)
Serial No.: Not Yet Assigned)
)
Filed: December 2, 2003)

For: METHOD FOR WRAPPING A FLOWER POT WITH A SLEEVE HAVING A
TEXTURE OR APPEARANCE SIMULATING THE TEXTURE OR APPEARANCE
OF CLOTH

Mail Stop - Patent Application
Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

**List of Sections Forming Part of This
Information Disclosure Statement**

The following sections are being submitted for this Information Disclosure
Statement:

1. ☒ Preliminary Statements
2. ☒ FORM PTO/SB/08A AND 08B (formerly Form PTO-
1449)
3. ☒ Identification of Prior Application in Which Listed
Information Was Already Cited and for Which No
Copies are Submitted or Need Be Submitted
4. ☒ Copies of Listed Information Items Accompanying this
Statement

- 5. ☒ Statement as to Information Not Found in Patents or Publications
- 6. ☒ Identification of Person(s) Making this Information Disclosure Statement

Section 1. Preliminary Statements

Applicants submit herewith patents, publications or other information of which they are aware, which they believe may be material to the examination of this application and in respect of which there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. § 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

Section 2. FORM PTO/SB/08A AND 08B (Modified)

☒ A completed Form PTO/SB/08A and/or 08B is attached hereto.

☐ No Form PTO/SB/08A and/or 08B is attached.

Section 3. Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies are Submitted or Need Be Submitted

This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application **U.S. Serial No. 10/345,049, filed on January 14, 2003.**

Section 4. Copies of Listed Information Items Accompanying this Statement.

Legible copies of all items listed in FORM PTO/SB/08A AND 08B (Modified) accompany this information disclosure statement.

☒ Exception(s) to above:

☒ Items in prior application from which an earlier filing date is claimed for this application, as identified in Section 3.

Section 5. Statement as to Information Not Found in Patents or Publications (Information Not Listed in Form PTO/SB/08A AND 08B (Modified))

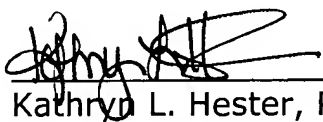
Applicant is aware that film printed with a lace pattern has been produced and sold more than one year prior to the effective filing date of the subject application. Applicant is also aware of a white unprinted fiber sleeve, such as formed of spun-bonded material, has been produced and sold more than one year prior to the effective filing date of the subject application.

Section 6. Identification of Person(s) Making this INFORMATION DISCLOSURE STATEMENT

The person making this statement is the attorney who signs below on the basis of the information:

- ☐ supplied by the inventor(s)
- ☐ supplied by an individual associated with the filing and prosecution of this application (37 C.F.R. § 1.56(c)).
- ☒ in the attorney's file

Respectfully submitted,



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Agent for Applicant

PTO/SB/08A (08-00)
Approved for use through 10/31/2002. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>			Complete if Known		
			Application Number	Not Yet Assigned	
			Filing Date	12/02.2003	
			First Named Inventor	Donald E. Weder	
			Group Art Unit	Not Yet Assigned	
			Examiner Name	Not Yet Assigned	
			Attorney Docket Number	8404.032	
Sheet	1	of	10		

U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
	AA	524,219		Schmidt	08/07/1894	
	AB	583,925		McGowan	06/01/1897	
	AC	732,889		Paver	07/07/1903	
	AD	950,785		Pene	03/01/1910	
	AE	1,063,154		Bergen	05/27/1913	
	AF	1,446,563		Hughes	02/27/1923	
	AG	1,520,647		Hennigan	12/23/1924	
	AH	1,525,015		Weeks	02/03/1925	
	AI	1,610,652		Bouchard	12/14/1926	
	AJ	1,697,751		Blake	01/01/1929	
	AK	1,794,212		Snyder	02/24/1931	
	AL	1,863,216		Wordingham	06/14/1932	
	AM	1,892,818		Trew	01/03/1933	
	AN	1,978,631		Herrlinger	10/30/1934	
	AO	2,048,123		Howard	07/21/1936	
	AP	RE 21065		Copeman	05/02/1939	
	AQ	2,170,147		Lane	08/22/1939	
	AR	2,200,111		Bensel	05/07/1940	
	AS	2,268,244		Davis	12/30/1941	
	AT	2,278,673		Savada et al.	04/07/1942	

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Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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Commissioner for Patents, PO 1450, Alexandria, VA 22313

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		Number	Kind Code ² (if known)			
	AU	2,302,259		Rothfuss	11/17/1942	
	AV	2,323,287		Amberg	07/06/1943	
	AW	2,355,559		Renner	08/08/1944	
	AX	2,371,985		Freiberg	03/20/1945	
	AY	2,411,328		MacNab	11/19/1946	
	AZ	2,510,120		Leander	06/06/1950	
	BA	2,529,060		Trillich	11/07/1950	
	BB	2,621,142		Wetherell	12/09/1952	
	BC	2,648,487		Linda	08/11/1953	
	BD	2,688,354		Berger	09/07/1954	
	BE	2,774,187		Smithers	12/18/1956	
	BF	2,785,508		Coleman, Jr.	03/19/1957	
	BG	2,822,287		Avery	02/04/1958	
	BH	2,846,060		Yount	08/05/1958	
	BI	2,850,842		Eubank, Jr.	09/09/1958	
	BJ	2,883,262		Borin	04/21/1959	
	BK	2,989,828		Warp	06/27/1961	
	BL	3,022,605		Reynolds	02/27/1962	
	BM	3,058,263		Reynolds	10/16/1962	
	BN	3,080,680		Reynolds	03/12/1963	

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		Number	Kind Code ² (if known)			
	BO	3,094,810		Kalpin	06/25/1963	
	BP	3,121,647		Harris et al.	02/18/1964	
	BQ	3,130,113		Silman	04/21/1964	
	BR	3,271,922		Wallerstein et al.	09/13/1966	
	BS	3,322,325		Bush	05/30/1967	
	BT	3,376,666		Leonard	04/09/1968	
	BU	3,380,646		Doyen et al.	04/30/1968	
	BV	3,431,706		Stuck	03/11/1969	
	BW	3,508,372		Wallerstein et al.	04/28/1970	
	BX	3,510,054		Sanni et al.	05/05/1970	
	BY	3,512,700		Evans et al.	05/19/1970	
	BZ	3,552,059		Moore	01/05/1971	
	CA	3,554,434		Anderson	01/12/1971	
	CB	3,556,389		Gregoire	01/19/1971	
	CC	3,557,516		Brandt	01/26/1971	
	CD	3,620,366		Parkinson	11/16/1971	
	CE	3,660,187		Shortway et al.	05/02/1972	
	CF	3,681,105		Milutin	08/01/1972	
	CG	3,767,104		Bachman et al.	10/23/1973	
	CH	3,793,799		Howe	02/26/1974	

[illegible]

Examiner Signature		Date Considered	
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Sheet 4 of 10			Application Number	Not Yet Assigned
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			First Named Inventor	Donald E. Weder
			Group Art Unit	Not Yet Assigned
			Examiner Name	Not Yet Assigned
			Attorney Docket Number	8404.032

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		Number	Kind Code ² (if known)			
	CI	3,869,828		Matsumoto	03/11/1975	
	CJ	3,888,443		Flanigen	06/10/1975	
	CK	3,911,187		Raley	10/07/1975	
	CL	3,962,503		Crawford	06/08/1976	
	CM	4,043,077		Stonehocker	08/23/1977	
	CN	4,054,697		Reed et al.	10/18/1977	
	CO	4,056,646		Westfall et al.	11/01/1977	
	CP	4,091,925		Griffo et al.	05/30/1978	
	CQ	4,104,845		Hoffman	08/08/1978	
	CR	4,113,100		Soja et al.	09/12/1978	
	CS	4,118,890		Shore	10/10/1978	
	CT	4,189,868		Tymchuck et al.	02/26/1980	
	CU	4,199,627		Weder et al.	04/22/1980	
	CV	4,216,620		Weder et al.	08/12/1980	
	CW	4,248,347		Trimbee	02/03/1981	
	CX	4,265,049		Gorewitz	05/05/1981	
	CY	D259,333		Charbonneau	05/26/1981	
	CZ	4,277,427		Kaminski et al.	07/07/1981	
	DA	4,280,314		Stuck	07/28/1981	
	DB	4,292,266		Weder et al.	09/29/1981	

[illegible]

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		First Named Inventor	Donald E. Weder		
		Group Art Unit	Not Yet Assigned		
		Examiner Name	Not Yet Assigned		
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		Number	Kind Code ² (if known)			
	DC	4,297,811		Weder	11/03/1981	
	DE	4,333,267		Witte	06/08/1982	
	DF	4,347,686		Wood	09/07/1982	
	DG	4,359,442		Cleminson et al.	11/16/1982	
	DH	4,380,564		Cancio et al.	04/19/1983	
	DI	4,400,910		Koudstall et al.	08/30/1983	
	DJ	4,413,725		Bruno et al.	11/08/1983	
	DK	D279,279		Wagner	06/18/1985	
	DL	4,546,875		Zweber	10/15/1985	
	DM	4,621,733		Harris	11/11/1986	
	DN	4,640,079		Stuck	02/03/1987	
	DO	4,717,262		Roen et al.	01/05/1988	
	DP	4,733,521		Weder et al.	03/29/1988	
	DQ	4,765,464		Ristvedt	08/23/1988	
	DR	4,771,573		Stengel	09/20/1988	
	DS	4,773,182		Weder et al.	09/27/1988	
	DT	4,801,014		Meadows	01/31/1989	
	DU	4,810,109		Castel	03/07/1989	
	DV	4,835,834		Weder	06/06/1989	
	DW	D301,991		Van Sant	07/04/1989	

FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (If known)				
	FS		4231978		Australia	06/21/1979		
	FT		654427		Blegium	01/02/1965		
	FU		0050990		EPO	05/05/1982		
	FV		0791543		EPO	08/27/1997		
	FW		13776047		France	09/14/1964		
	FX		2036163		France	12/24/1970		
	FY		2137325		France	12/29/1972		
	FZ		2272914		France	12/26/1975		
	GA		2489126		France	03/05/1982		
	GB		2603159		France	03/04/1989		

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		Number	Kind Code ² (if known)			
	DX	4,941,572		Harris	07/17/1990	
	DY	4,980,209		Hill	12/25/1990	
	DZ	5,038,930		Holtkamp, Jr.	08/13/1981	
	EA	5,065,925		Ridenour	11/19/1991	
	EB	5,073,161		Weder et al.	12/17/1991	
	EC	5,074,675		Osgood	12/24/1991	
	ED	5,094,060		Caird	03/10/1992	
	EE	5,105,599		Weder	04/21/1992	
	EF	5,111,638		Weder	05/12/1992	
	EG	5,120,382		Weder	06/09/1992	
	EH	5,152,100		Weder et al.	10/06/1992	
	EI	5,181,364		Weder	01/26/1993	
	EJ	5,199,242		Weder et al.	04/06/1993	
	EK	5,200,253		Yamaguchi et al.	04/06/1993	
	EL	5,205,108		Weder et al.	04/27/1993	
	EM	D335,105		Ottenwalder et al.	04/27/1993	
	EN	5,228,234		de Klerk et al.	07/20/1993	
	EO	5,235,782		Landau	08/17/1993	
	EP	5,239,775		Landau	08/31/1993	
	EQ	5,249,407		Stuck	10/05/1993	

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	GC		2610604		France	08/12/1988		
	GD		2619698		France	03/09/1989		
	GE		345464		Germany	12/12/1921		
	GF		513971		Germany	11/27/1930		
	GG		1166692		Germany	03/26/1964		
	GH		1962947		Germany	06/24/1971		
	GI		2060812		Germany	11/04/1971		
	GJ		2147277		Germany	05/03/1973		
	GK		2748626		Germany	05/03/1979		
	GL		2948265		Germany	05/03/1981		

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	ER	5,254,111		Cancio et al.	10/19/1993	
	ES	5,259,106		Weder et al.	11/09/1993	
	ET	5,296,184		Wu et al.	03/22/1994	
	EU	5,307,606		Weder	05/03/1994	
	EV	5,315,785		Avot et al.	05/31/1994	
	EW	5,345,745		Weder	09/13/1994	
	EX	5,350,240		Billman et al.	09/27/1994	
	EY	5,353,575		Stepanek	10/11/1994	
	EZ	5,361,482		Weder et al.	11/08/1994	
	FA	5,388,386		Weder	02/14/1995	
	FB	5,388,695		Gilbert	02/14/1995	
	FC	5,428,939		Weder et al.	04/04/1995	
	FD	5,443,670		Landau	08/22/1995	
	FE	5,448,875		Weder	09/12/1995	
	FF	5,493,809		Weder et al.	02/27/1996	
	FG	5,496,251		Cheng	03/05/1996	
	FH	5,496,252		Gilbert	03/05/1996	
	FI	D368,025		Sekerak et al.	03/19/1996	
	FJ	5,526,932		Weder	06/18/1996	
	FK	5,572,849		Weder et al.	11/12/1996	

FOREIGN PATENT DOCUMENTS								
Examiner Initials ⁷	Cite No. ¹	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Office ³	Number ⁴	Kind Code ⁵ (if known)				
	GM		3445799		Germany	06/19/1986		
	GN		3829281		Germany	05/18/1989		
	GO		3911847		Germany	10/25/1990		
	GP		224507		Italy	04/30/1996		
	GQ		542958		Japan	02/23/1993		
	GR		1000658		Netherlands	01/05/1996		
	GS		8301709		Netherlands	12/03/1984		
	GT		9315979		PCT	08/19/1993		
	GU		560532		Switzerland	04/15/1975		
	GV		5605		United Kingdom	05/06/1985		

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¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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U. S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Completeness if Known			
		Application Number	Not Yet Assigned		
		Filing Date	12/02/2003		
		First Named Inventor	Donald E. Weder		
		Group Art Unit	Not Yet Assigned		
		Examiner Name	Not Yet Assigned		
Sheet	8	of	10	Attorney Docket Number	8404.032

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No.¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
	HB	"Silver Linings" Brochure, Affinity Diversified Industries, Inc., 1986. The Silver Linings brochure shows a floral sleeve with a closed bottom. The brochure shows, in one embodiment, a vase with flowers inside a "cut flower" sleeve with the sleeve tied with a ribbon about the neck of the vase.	
	HC	Le Plant Advertisement, published prior to 09/26/1987	
	HD	"Derwent Abstract" of FR 2610604A. It is noted that the abstract is an incorrect English translation of the contents of the French patent. The French patent does not enable or disclose adhesively attaching the covering to the container. 1988.	
	HE	Speed Cover (Registered TM), The Simple Solution For The Peak Volume Periods, Highland Supply Corporation, 1989	
	HF	"Speed Sheets and Speed Rolls" Brochure, Highland Supply Corporation, Copyright 1990	
	HG	"Color Them Happy with Highlander Products" Copyright 1992.	
	HH	"Costa Keeps the Christmas Spirit", Supermarket Floral, Sept. 15, 1992	
	HI	"Supper Seller", Supermarket Floral, Sept. 15, 1992	
	HJ	"Halloween", Link Magazine, Sept. 1992	
	HK	"Now More Than Ever", Supermarket Floral, Sept. 15, 1992	
	HL	"A World of Cut Flower and Pot Plant Packaging" Brochure, Klerk's Plastic Products Manufacturing, Inc., published prior to 3/31/1994, 6 pages	

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			Application Number	Not Yet Assigned	
			Filing Date	12/02/2003	
			First Named Inventor	Donald E. Weder	
			Group Art Unit	Not Yet Assigned	
			Examiner Name	Not Yet Assigned	
Sheet	9	of	10	Attorney Docket Number	8404.032

[illegible][illegible]

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¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				C mplete if Known	
				Application Number	Not Yet Assigned
				Filing Date	12/02/2003
				First Named Inventor	Donald E. Weder
				Group Art Unit	Not Yet Assigned
				Examiner Name	Not Yet Assigned
Sheet	10	of	10	Attorney Docket Number	8404.032

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No.¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
	HM	Chantler & Chantler brochure showing Zipper Sleeve TM and Flora sheet Registered TM, published prior to 3/31/994, 2 pages	
	HN	"Foil Jackets" brochure, Custom Medallion, Inc., December, 1996, 2 pages	

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